REF: RM-9259

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Hon. W. J. "Billy" Tauzin
House of Representatives
Washington DC 20515

April 30,1998

Dear Mr. Tauzin,

Let me introduce myself before I go into the problem I hope you, as Chairman on the Sub-committee for Telecommunications, can assist in solving. I am the manager of two wide area traffic nets in the amateur radio bands. Each day of the year we are there keeping our self trained by relaying all messages that are legal in the amateur bands. During normal times these messages consist of holiday greetings and other non-commercial messages. In case of hurricanes, tornadoes, etc. we are there with equipment and trained skills ready to support the communication needs of the public. As you know, we can step in with our own power and can communicate when the police, cell phones, telephones and other forms of communication are not operating. The largest public service net in the country is the 7290 Traffic Net with over 40,000 check-ins per year and over 5000 messages per year. I am manager of this net and have logged over 700 different stations into the net in the last three years. frequently we have over 100 stations check onto the net during a two hour morning session. I am also manager of the Southwest Traffic Net. This net meets each night and works with the Central Gulf Coast Hurricane and the 75 Meter Interstate Nets. All of the above nets are wide area nets. They cover Louisiana, Texas, Oklahoma, Arkansas, Mississippi with stations from many other states. We also liaison with the ARRL Region Net RN5.
I obtained my first FCC license in 1941 and handled a lot of traffic during Hurricane Audry and operated in Air Force Mars for over 20 years handling traffic for the Vietnam operation.

A brief statement of the problem---the ARRL is pushing the FCC to put teeth into the Band Plan Usage as proposed by some unknown individuals on the staff of ARRL. The ARRL has never to my knowledge polled the amateur members within ARRL or the non-member amateurs about the selection of the frequencies being proposed in the plan. The ARRL has acted by going to the FCC with their proposal and the FCC has assigned a rule making number RM9259 and set a dead line of May 21, 1998 for comments. Since the ARRL membership constitutes about 24% of the amateur population in the country and several of the Board voted against going to the FCC, I feel strongly that this is a plan being rushed through without due evaluation of the amateur population. If the FCC approves this plan, it gives a small group the power to set frequency usage and, if a station operates in violation of the plan, that station can be cited in violation of FCC rules. Many traffic nets all over the country would find themselves operating in

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violation. The 7290 Traffic Net is one of these affected. The 7290 frequency is being proposed as an AM calling frequency. AM is amplitude modulation and was used in equipment during and before WW11. In the early 50's sideband modulation came into wide usage since it eliminates hetrodynes and uses one half the spectrum space to do the same job.

I am sending several pages of supporting data with this letter. It is my hope that you will encourage the FCC to delay making any rule until the amateur population is informed as to how the frequencies were selected and fully evaluate the probable results of the proposed changes. The ARRL claims to represent the amateur population. I have no problem with that and I can see the need of a band plan. The new digital techniques and several modes of operation used by amateurs suggests that band division is desirable, but lets make a good study and give the total amateur population a chance to take part in that division.

As an amateur for over 55 years, I am unhappy with the things I hear happening in the bands today. There are way too many four letter words, too much malicious interference, a loss of consideration of the fellow amateur, too easy to get a license without real knowledge of radio (all it takes is a good memory). The result is pocketbook amateurs that buy their equipment and only want to gab like CB operators. We are developing a large group of 2 meter people that will not take messages and are not interested in public service.

I will get off my soapbox now and will appreciate any assistance you can give that will assist the traffic handlers within the amateur membership. We do hope to keep the traffic handling systems that have worked so well and keep a trained pool of personal ready to help our country when needed.

I do appreciate the work you did for the amateurs on the scanner bill a short while back and the many other things you are doing for our country. I wish you the best and GOD speed.

Dan Whelchel

318-433-0244

Dan Whelchel Jr. K5IQZ
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PS You may like to look at our 7290 web page. It is www.angelfire.com/tx/7290. The net held a family picnic near Ingram Texas with about 115 present during April 24-26.

As many of you may know the ARRL is trying to put teeth into their proposed Band Plan. This will result in giving the ARRL dictatorial powers to specify frequency usage within the bands authorized for amateur use by the FCC. I have been unable to identify the methods used in selection of the frequencies proposed in the last published plan which appeared in QST for January 1998. The ARRL membership is composed of about 24% of the amateur population in the USA. Many of the amateurs in ARRL do not agree with the plan. There were three members of the Board of Directors which voted not to approach the FCC with a rule making on the plan. I have never, in my many years of membership in ARRL, seen any input from the membership directed toward the selection of the frequencies as published in the plan. I feel strongly that the ARRL should inform their membership of the methods used in preparing the plan.

Following is my reasons why this plan endangers many of the present net operations.

1. Refer to section 97.101(a) General Standards of FCC rule which states "(a) In all respects not specifically covered by the FCC Rules, each amateur station must be operated in accordance with good engineering and good amateur practice."

2. The ARRL published Bulletin Number 008 on January 20, 1998 wherein they stated their intent to request Rule making from the FCC to put teeth into the plan.

3. The March issue of QST on page 9, "It Seems to Us", I quote in part: "Most people, while they might disagree as to detail, would say they understand the concept of good engineering practice--but what on earth constitutes "GOOD AMATEUR practice?". The question is not merely academic; in some cases, it lies at the heart of determining where the responsibility lies for resolving interference resulting from the operation of an amateur station. The question is timely because the ARRL Board, in response to member's concerns that the purely voluntary compliance with band plans is no longer sufficient and after studying the issue for several months, has instructed the League's staff and General Counsel to seek an FCC declaratory ruling affirming that operation contrary to established band plans, if it causes interference to operation that is in accordance with these plans, is not good amateur practice and thus is not in compliance with the rules."

4. On page 65 of March QST, section 72 of the ARRL Board meeting of January 16-17, 1998 presents the specific wording which directs the staff and General Council, without delay, to seek a declaratory ruling from the Commission.

5. If I review the plan published in 1995 with that published in 1998, I observe many changes. This tells me that

it is not a plan, but a concept open to alteration at ARRL's will. I think that the ARRL is asking the FCC to give them the power to set frequency usage within the ham bands. It appears also that the ARRL feels strongly that their request to FCC will be granted since they have established an enforcement committee composed of W5ZN, chairman, N8TI, N2FF, WT3P, WA6WZO, AGOX, W3ABC, W3KD and K1CE. This task force is charged with cleaning up rule infractions in the amateur bands including the above band plan should FCC accept the ARRL proposal.

6. As net manager of two wide area traffic nets the action by ARRL gives me great concern. The plan calls for 7290 Khz to be an AM calling frequency. The 7290 SSB Traffic Net has been in existence for over 45 years on this frequency. The net has over 40,000 Check ins per year and handle over 5000 messages. My list of stations which have checked into the net in the past three years is in excess of 700. Traffic handling takes two things--stations with traffic and stations to take the traffic. This net has both with great coverage. It is not at all uncommon for the net to have 100 checkins during a two hour morning session. That fact alone allows us to give rapid delivery for most traffic. We liaison with RN5 both morning and afternoon (NTS net).
I am also manager of the Southwest Traffic Net which works with the Central Gulf Coast Net and the 75 Meter Interstate Net. The frequency of 3985 Khz on the plan is a QRP SSB calling frequency. This Interstate net has been in operation for many years on this frequency also and does a great job of moving traffic in the evening hours. It is hard for me to understand why the ARRL is bent on undermining operations which have proven themselves over long periods of time.

7. The ARRL has declared the year of 1998 as the YEAR FOR PUBLIC SERVICE. Destroying existing public nets, long in existence, doing a great job, staffed by a mixture of ARRL and non-ARRL members can only disrupt a good proven operation and, if I read the feeling in the nets, will result in many ARRL members resigning.

8. ARRL bulletin 0028 dated April 24, 1998 states that the FCC has assigned number RM9259 to the ARRL Band Plan and set a dead line of May 21, 1998 in which to get your comments into the FCC.

9. Time is short to make your feelings known. You can record your feelings with FCC. This is important. You can let Rep. Hon. W. J. "Billy" Tauzin-Chairman of the Sub-committee on Telecommunications know how you feel. He is from South Louisiana and understands what the amateurs do during hurricanes. If you are an ARRL member, you can let the directors know your feelings. You can not afford to be apathetic. By all means exercise your democratic right and duty to get your wishes on record.

BAND PLAN HISTORY

QST--Jan 1993--	First time published by ARRL
QST--Jan 1995--	Plan published with proposed Freq.
QST--Jan 1998--	New Plan with many new Freq.
ARRL Bulletin--	008 Jan 20 1998 Due to malicious interference ARRL asks FCC to put teeth into "voluntary" Band Plan
QST--Mar 1998-Page 9	Commment about the plan in the editorial "It Seems to Us"
QST--Mar 1998-Page 65	Sec 72 Board of Directors meeting minutes--ARRL Board instructs Staff and Legal to prepare proposal to FCC
ARRL Buletin 0028	April 24, 1998 Which informs the amateurs that FCC has assigned RM9259 to the ARRL Band Plan and set a time limit of May 21, 1998 for comment.

The "Considerate Operator's Frequency Guide"

The following frequencies are generally recognized for certain modes or activities (all frequencies are in MHz).

Nothing in the rules recognizes a net's, group's or any individual's special privilege to any specific frequency. Section 97.101(b) of the Rules states that "Each station licensee and each control operator must cooperate in selecting transmitting channels and in making the most effective use of the amateur service frequencies. No frequency will be assigned for the exclusive use of any station." No one "owns" a frequency.

It's good practice—and plain old common sense—for any operator, regardless of mode, to check to see if the frequency is in use prior to engaging operation. If you are there first, other operators should make an effort to protect you from interference to the extent possible given that 100% interference-free operation is an unrealistic expectation in today's congested bands.

1.800-1.830	CW, RTTY and other narrowband modes
1.830-1.840	CW, RTTY and other narrowband modes, intercontinental QSOs only
1.840-1.850	CW, SSB, SSTV and other wideband modes, intercontinental QSOs only
1.850-2.000	CW, phone, SSTV and other wideband modes
3.590	RTTY DX
3.580-3.620	RTTY
3.620-3.635	Packet
3.790-3.800	DX window
3.845	SSTV
3.885	AM calling frequency
7.040	RTTY DX
7.080-7.100	RTTY
7.171	SSTV
7.290	AM calling frequency
10.130-10.140	RTTY
10.140-10.150	Packet
14.070-14.095	RTTY
14.095-14.0995	Packet
14.100	NCDXF beacons
14.1005-14.112	Packet
14.230	SSTV
14.286	AM calling frequency
18.100-18.105	RTTY
18.105-18.110	Packet
21.070-21.100	RTTY
21.090-21.110	Packet
21.340	SSTV
24.920-24.925	RTTY
24.925-24.930	Packet
28.070-28.120	RTTY
28.120-28.189	Packet
28.190-28.225	Beacons
28.680	SSTV
29.000-29.200	AM
29.300-29.510	Satellite downlinks
29.520-29.580	Repeater inputs
29.600	FM simplex
29.620-29.680	Repeater outputs

Note

ARRL band plans for frequencies above 28.300 MHz are shown in the *ARRL Repeater Directory* and *FCC Rule Book*. For detailed packet frequencies, see *QST*, September 1987, page 54, and March 1988, page 51.

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1.800-1.830	CW, data and other narrowband modes
1.810	QRP CW calling frequency
1.830-1.840	CW, data and other narrowband modes, intercontinental QSOs only
1.840-1.850	CW; SSB, SSTV and other wideband modes, intercontinental QSOs only
1.850-2.000	CW; phone, SSTV and other wideband modes
3.560	QRP CW calling frequency
3.590	RTTY DX
3.580-3.620	Data
3.620-3.635	Automatically controlled data stations
3.710	QRP Novice/Technician CW calling frequency
3.790-3.800	DX window
3.845	SSTV
3.885	AM calling frequency
3.985	QRP SSB calling frequency
7.040	RTTY DX
7.060	QRP CW calling frequency
7.080-7.100	Data
7.100-7.105	Automatically controlled data stations
7.110	QRP Novice/Technician CW calling frequency
7.171	SSTV
7.285	QRP SSB calling frequency
7.290	AM calling frequency
10.106	QRP CW calling frequency
10.130-10.140	Data
10.140-10.150	Automatically controlled data stations
14.060	QRP CW calling frequency
14.070-14.095	Data
14.095-14.0995	Automatically controlled data stations
14.100	NCDXF/IARU beacons
14.1005-14.112	Automatically controlled data stations
14.230	SSTV
14.285	QRP SSB calling frequency
14.286	AM calling frequency
18.100-18.105	Data
18.105-18.110	Automatically controlled data stations
21.060	QRP CW calling frequency
21.070-21.100	Data
21.090-21.100	Automatically controlled data stations
21.340	SSTV
21.385	QRP SSB calling frequency
24.920-24.925	Data
24.925-24.930	Automatically controlled data stations
28.060	QRP CW calling frequency
28.070-28.120	Data
28.120-28.189	Automatically controlled data stations
28.190-28.225	Beacons
28.385	QRP SSB calling frequency
28.680	SSTV
29.000-29.200	AM
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NCDXF/IARU beacons operate on 14.100, 18.110, 21.150, 24.930 and 28.200 MHz.

KHZ Plan.	Present Usage (As published in ARRL Net) (Directory)	Proposed Band
3560	Iowa Tall Corn Net Seventh Region-Cycle 4(NTS)	QRP calling Freq.
3580	Missouri Traffic Net Westeren Penn. CW TFC Net Oregon Section Net	D A T A
3590	Empire Slow Speed Net(WC) Tenth Region Net Cyc4(NTS) Third Region Net Cyc4(NTS) Washington State Net	
	Arkansas CW TFC Net Georgia State Net Southern Calif. CW Cyc4 Kentucky CW Net First Region Net Cyc3&4(NTS) Buckeye Net RTTY (OH) Minnesota Sectiom Net Kansas CW TFC Net Okla. Digital Net Eastern Penn. CW Net Penn. TFC Training Net	
3620	Texas Slow Net	
3620-3635	Northern Calif. Net Tenn. CW Net	Automatic Controlled Data Stations
3710	Kansas Slow Speed Net Minnesota Slow Speed Net	QRP Novice/Tech. CW Calling Freq.
3845	Sooner TFC Net (Okla)	SSTV
3885	Day Time Oregon Section Net	AM Calling Freq.
3985	Badger Emergency Net (WI) Badger Weather Net (WI) NEWDXA Net (WI) QCWA Chapter 55 WD8OAA Memorial Net Wisconsin Side Band Net 75 Meter Interstate Net (WC)	Q S R S P B CALLING
7285	Not Listed-Used by RN5 and 7290 Nets to move TFC	QRP SSB Calling
7290	7290 TRAFFIC NET (WC)	AM Calling

This is an example--not a complete list--- and is intended to show the vast differences between present usage and proposed.